

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-29-02

WHEREAS, JANIS H. BARROW, ET AL had applied to Community Zoning Appeals

Board 14 for the following:

- (1) Applicant is requesting approval to permit four proposed sites with the following areas: 2.8, 2.55, 2.54 and 2.29 gross acres. (The underlying zoning district regulations require 5 gross acres per site)
- (2) Applicant is requesting approval to permit a barn spaced 4' from a carport. (The underlying zoning district regulations require spacing of 10').

Approval of such requests (above) may be considered under §33-311(A)(14) (Alternative Site Development Option), or under §33-311 (A)(4)(c) (Alternative Non-Use Variance) (Ordinance # 02-138).

Plans are on file and may be examined in the Zoning Department entitled " Boundary Survey," as prepared by Mojarena & Associates, dated revised January 29, 2002 and consisting of 2 pages. Plans may be modified at public hearing.

SUBJECT PROPERTY: The south ½ of the NW ¼ of the SE ¼ of the SW ¼ of Section 26, Township 56 South, Range 38 East, LESS the west 25' for Right-of-Way. AND: The north ½ of the NW ¼ of the SE ¼ of the SW ¼ LESS the north 205' of the west ½ of the north ½ of the NW ¼ of the SE ¼ of the SW ¼ of Section 26, Township 56 South, Range 38 East, TOGETHER with the north 205' of the west ½ of the north ½ of the NW ¼ of the SE ¼ of the SW ¼ LESS the north 25' and LESS the west 25' for right-of-way, Section 26, Township 56 South, Range 38 East.

LOCATION: 26025 & 26145 S.W. 194 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that that the requests (Items #1 & 2) would meet the standards of the alternative site development option zoning regulation, and so promote the objectives of creative urban

design, infill development and redevelopment and/or preservation and enhancement of property values, and would not contravene the public interest standards enumerated in such regulation, with the result that the public interest served by the underlying zoning district regulations and the CDMP will be commensurately served and said application was approved by Resolution No. **CZAB14-5-02**, and

WHEREAS, THE DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

- (1) Applicant is requesting approval to permit four proposed sites with the following areas: 2.8, 2.55, 2.54 and 2.29 gross acres. (The underlying zoning district regulations require 5 gross acres per site)

Approval of such request (above) may be considered under §33-311(A)(14) (Alternative Site Development Option), or under §33-311 (A)(4)(c) (Alternative Non-Use Variance) (Ordinance # 02-138).

Plans are on file and may be examined in the Zoning Department entitled " Boundary Survey," as prepared by Mojarena & Associates, dated revised January 29, 2002 and consisting of 2 pages. Plans may be modified at public hearing.

SUBJECT PROPERTY: The south ½ of the NW ¼ of the SE ¼ of the SW ¼ of Section 26, Township 56 South, Range 38 East, LESS the west 25' for Right-of-Way. **AND:** The north ½ of the NW ¼ of the SE ¼ of the SW ¼ LESS the north 205' of the west ½ of the north ½ of the NW ¼ of the SE ¼ of the SW ¼ of Section 26, Township 56 South, Range 38 East, **TOGETHER** with the north 205' of the west ½ of the north ½ of the NW ¼ of the SE ¼ of the SW ¼ LESS the north 25' and LESS the west 25' for right-of-way, Section 26, Township 56 South, Range 38 East.

LOCATION: 26025 & 26145 S.W. 194 Avenue, Miami-Dade County, Florida, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons specified in the appeal of request #1 were sufficient to merit a reversal of the ruling made by Community Zoning Appeals Board 14 in Resolution No CZAB14-5-02 and that the appeal of request #1 should be approved

base upon the grounds and reasons specified in the Director' s appeal and the decision of Community Zoning Appeals Board 14 in regards to request #1 should be overruled, and

WHEREAS, a motion to grant the appeal and overrule the decision of Community Zoning Appeals Board 14 was offered by Commissioner Katy Sorenson, seconded by Commissioner Dennis C. Moss, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dennis C. Moss	aye
Jose " Pepe" Diaz	absent	Dorrin D. Rolle	aye
Betty T. Ferguson	absent	Natacha Seijas	aye
Sally A. Heyman	aye	Katy Sorenson	aye
Joe A. Martinez	aye	Rebeca Sosa	absent
Jimmy L. Morales	aye	Javier D. Souto	absent

Chairperson Barbara M. Carey-Shuler aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal of request #1 be and the same is hereby granted and the decision of Community Zoning Appeals Board 14 in regards to request #1 is overruled.

BE IT FURTHER RESOLVED that Resolution No. CZAB14-5-02 in regards to that portion that pertains to request #1 is hereby null and void.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 19th day of December, 2002, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 02-4-CZ14-1
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By KAY SULLIVAN
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 27TH DAY OF JANUARY, 2003.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-29-02 adopted by said Board of County Commissioners at its meeting held on the 19 day of December, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 27th day of January, 2003.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL

